



AGENDA ITEM NO. 4

STAFF REPORT
MAPC April 22, 2021
DAB VI April 21, 2021

CASE NUMBER: PUD2021-00003 (City)

APPLICANT/AGENT: David and Kristina Dickerson, DBA Spots Block 3rd LLC and Spots Block 512,514 LLC (owners/applicants) MKEC Engineering, Brian Lindebak (Agent)

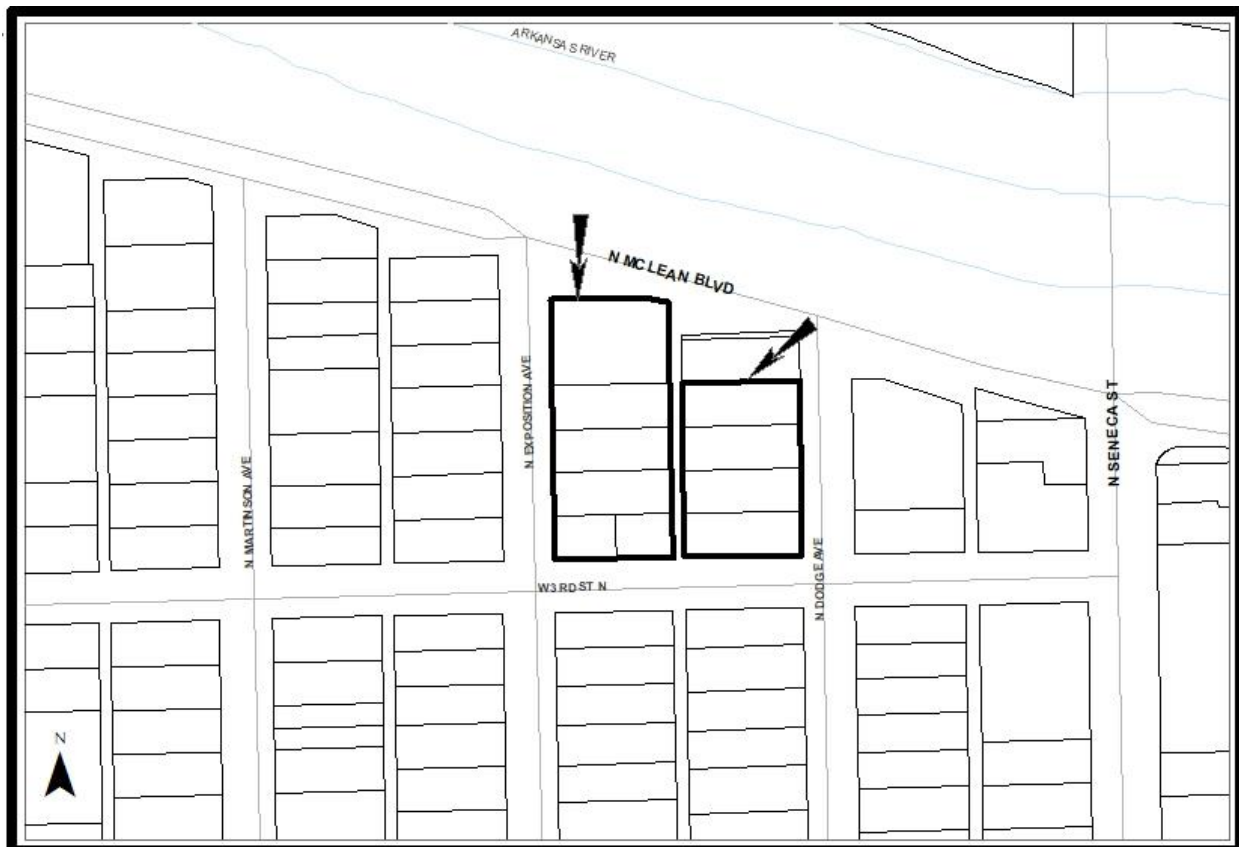
REQUEST: Planned Unit Development

CURRENT ZONING: SF-5 Single-Family Residential, TF-3 Two-Family Residential, and B Multi-Family Residential

SITE SIZE: 1.3 ± acres

LOCATION: Two Blocks west of North Seneca on the south side of N. McLean Boulevard (560 N. Exposition) District 6

PROPOSED USE: Long Term re-development of the subject area



BACKGROUND: The property is currently zoned SF-5 Single-Family Residential, TF-3 Two-Family Residential, and B Multi-Family Residential. The applicants are requesting a Planned Unit Development zoning district. The PUD would limit the permitted and conditional uses to those associated with the GO General Office (GO) zoning district. The subject site is approximately 1.3 platted acres located two blocks west of North Seneca on the south side of North McLean Boulevard (560 N. Exposition). The applicant has indicated that the requested PUD zoning would provide maximum flexibility with property development standards as per the GO zoning district.

The site is located within the Delano Neighborhood. The Delano Neighborhood was initially developed in the 1870's. It includes a variety of residential, commercial, industrial, personal service, and entertainment uses. The majority of commercial uses are located along Douglas Avenue and Seneca Street. In 2019, the City of Wichita adopted the Delano Neighborhood Plan 2019 update, including a recommended Future Land Use Concept Map. That map recommends and identifies the future land use of the subject site as residential.

North of the site is the McLean Boulevard right-of-way, the Arkansas River, and the Arkansas River Path. West and south of the subject site is SF-5 residential and is developed with single-family detached dwellings. East of the site is zoned GC General Commercial and is developed with a one-story office building.

CASE HISTORY: In April 1887, the area was platted as the McCormick's 2nd Addition. The D-O Delano Neighborhood Overlay District ("D-O") was approved in 2003. It is intended to preserve, enhance, and promote the character of the Delano neighborhood as prescribed in the Delano Neighborhood Revitalization Plan. Property development within the District shall comply with the Delano Neighborhood Design Guidelines and the standards of this District and the Underlying zoning District. The design review provisions applicable within the D-O District are intended to recognize the special architectural character and proposed land-use mix of the Delano neighborhood, and to protect the private property values and public investments in the Delano Neighborhood. In the case of conflict between the regulations in this section and those of the Underlying zoning District, the regulations in this section shall prevail. The property was included in the Delano Neighborhood Revitalization Plan in 2001, and is a part of the 2019 Delano Neighborhood Plan update. There are no recent cases associated with the subject property.

ADJACENT ZONING AND LAND USE:

North: B	Single-Family Residential, McLean Boulevard and Arkansas River
South: SF-5	Single-Family Residential
East: GC	Commercial, office
West: SF-5	Single-Family Residential

PUBLIC SERVICES: The site has access to North McLean Boulevard from North Exposition Street and North Seneca Street from West 3rd Street. Both Seneca Street and McLean Boulevard are paved arterial streets with sidewalks. The site is served by all typical municipal services. There are stops nearby for Wichita Transit bus routes, and a multi-use path is located to the north along the Arkansas River.

CONFORMANCE TO PLANS/POLICIES: The proposed rezoning would not be in conformance with the Delano Neighborhood Plan. The 2019 Delano Neighborhood Plan includes a Future Land Use map, which depicts the site as appropriate for "residential use." The Wichita: Places for People Urban Infill plan identifies the site as being located within the Established Central Area which provides opportunities for increasing housing densities.

The adopted Wichita-Sedgwick County Comprehensive Plan, titled the *Community Investments Plan*,

identifies the site as located within the Established Central Area. The Established Central Area generally consists of the downtown core area and mature neighborhoods surrounding it in a roughly three-mile radius. The Comprehensive Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "residential," which includes a range of housing densities and types includes, but is not limited to, single-family detached homes, semi-detached homes, zero lot line units, patio homes, duplexes, townhouses, apartments and multi-family units, condominiums, mobile home parks, and special residential accommodations for the elderly (assisted living, congregate care and nursing homes). Elementary and middle schools, churches, play-grounds, small parks and other similar residential-serving uses are located in these areas.

RECOMMENDATION: Staff recommended to the applicant that the property be rezoned as a Planned Unit Development. Based upon information available prior to the public hearings, planning staff recommends that the request be **APPROVED**.

This recommendation is based on the following findings:

1. The zoning, uses and character of the neighborhood: North of the site is the McLean Boulevard right-of-way and the Arkansas River with the Arkansas River Path and a single-family residence. West and south of the subject site is SF-5 residential and developed with single-family detached dwellings. East of the site is zoned GC General Commercial and is developed with a one-story office building.
2. The suitability of the subject property for the uses to which it has been restricted: The property is currently zoned SF-5 Single-Family Residential, TF-3 Two-Family Residential, and B Multi-Family Residential. The mix of residential uses allowed by current zoning is suitable for the neighborhood based on the surrounding context and community plans.
3. Extent to which removal of the restrictions will detrimentally affect nearby property: The Planned Unit Development ("PUD") zoning District could potentially create increased traffic on residential streets that have parking on both sides that reduces through traffic down to one lane. Introduction of the PUD could allow development to encroach into the established residential neighborhood west of the site.
4. Relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant: This is an up-zoning which does not result in a loss or hardship to the applicant compared to the existing zoning.
5. Conformance of the requested change to the adopted or recognized Comprehensive Plan and policies: The requested zoning change is not consistent with the Delano Neighborhood Plan.

The requested rezoning is partially consistent with the Wichita-Sedgwick County Comprehensive Plan, named the *Community Investments Plan*, identifies the site as within the Established Central Area - the downtown core and mature neighborhoods surrounding it in a roughly three-mile radius. The Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "residential," The Comprehensive Plan's *2035 Wichita Future Growth Concept Map* identifies this location as "residential," which includes a range of housing densities and types .

6. Impact of the proposed development on community facilities: Existing public water and sewer at the site would accommodate uses under the proposed PUD zoning. The requested rezoning would allow for a mix residential and office uses. The existing infrastructure would be able to

accommodate any increased demand.

Attachments:

Proposed PUD language (Agent)

Aerial Map

Zoning Map, Area Zoning Map

Land Use Map

Delano Future Land Use Concept Map

TheraPlay
Planned Unit Development No. 84
Case Number: PUD2021-00003
Development Guidelines
General Provisions

Submitted for MAPC approval 3-15-2021
Rev. 4-12-2021

PUD Purpose Statement:

This unique property is situated on the westerly fringe of a transitional zoning area from downtown core to the edge of single-family residential in the Delano neighborhood. Recently within the Delano transitional fringe area there have been many properties changing from commercial/industrial to mixed-use. Directly east of this property there is GC - General Commercial zoning classification; the least restrictive commercial zoning district. Directly west and south of this property there is SF-5 Single-Family zoning classifications and with some TF-5 Two-Family zoning intermixed within the SF-5 areas; generally the most restrictive urban zoning districts. To the northeast of the property there is a small parcel having B-Multi-Family zoning classification. North of the property are civic uses such as museums and parks separated by the Arkansas River. The subject property has views of unique iconic Wichita landmarks. It is also situated along MacLean Boulevard an arterial street and connector of downtown to west Wichita. The present land use for the bulk of the property is a medical therapy business. The business performs speech, physical, occupation, and similar therapies with a focus on helping children and families succeed. The owners have plans to offer other related personal care and personal improvement services such as massage therapy to further enhance their offerings. Other existing land uses include rental homes. While the property is already a mixed-use development this PUD is intended to allow for the property to redevelop into a more conventional mixed-use development with the potential for a mix of residential and office type uses as set forth herein. The property is within the D-O Delano Neighborhood Overlay District so there are many existing provisions that protect the neighboring single family homes. This PUD is crafted to balance and enhance the needs of owners being and to enhance a transitional zoning situated at the edge of urban redevelopment along with the requirements of the D-O Neighborhood Overlay District. Principally the Land uses proposed are those of the GO – General Office with other land uses being permitted for the enhanced desired offerings. This PUD reflects the highest and best uses for the subject property while provisioning for balanced needs of the neighboring properties.

Parcel Descriptions:

Gross Area = 1.54 Ac. or 66,888 sq. ft.
Parcel 1 = 0.92 Ac. or 39,908 sq. ft.
Parcel 2 = 0.62 Ac. or 26,980 sq. ft.

1. The subject property shall conform to the recitals of the D-O Delano Neighborhood Overlay District.
2. **Land Uses:**
 - a. All uses permitted by right and conditional uses within the General Office (GO) Zoning District provided, however, those land uses as restricted per the D-O Delano Neighborhood Overlay District, being summarized herein:
 - i. Allowed Uses by right:

Single Family, Duplex, Multi-Family, Accessory Apartment, Assisted Living, Group Home, Group Residence (limited and general), Church or Place of Worship, Day Care (limited and general), Government Services, Neighborhood Swimming Pool, Nursing Home, School (elementary, middle, & high), University or College, Animal Care Limited, Automated Teller Machine, Bank or Financial Institution, Bed and Breakfast Inn, Broadcast/Recording Studio, Funeral Home, Heliport, Hotel or Motel, Marine Facility (recreational), Medical Service, Office (general), Personal Car Service, Personal Improvement Service, Printing and Copying (limited), Vocational School, and Agriculture.
 - ii. Conditional Uses by Delano Neighborhood Overlay District:

Utility Minor, Parking Area (commercial), Warehouse Self-Service Storage, and Wireless Communication Facility.
3. **Property Development Standards:** As per General Office (GO) Zoning District, provided, the minimum setbacks are as shown hereon and listed below:

Minimum Front Setback: 5 feet

Minimum Rear Setback: 0 feet

Minimum Side Setback: 0 feet

Minimum Street Side Setback: 5 feet

Maximum Height: 60 feet, plus one foot of additional height for each foot of setback beyond the minimum required setbacks.

Compatibility standards apply Secs. IV-C.4 and IV-C.5 may take precedence.

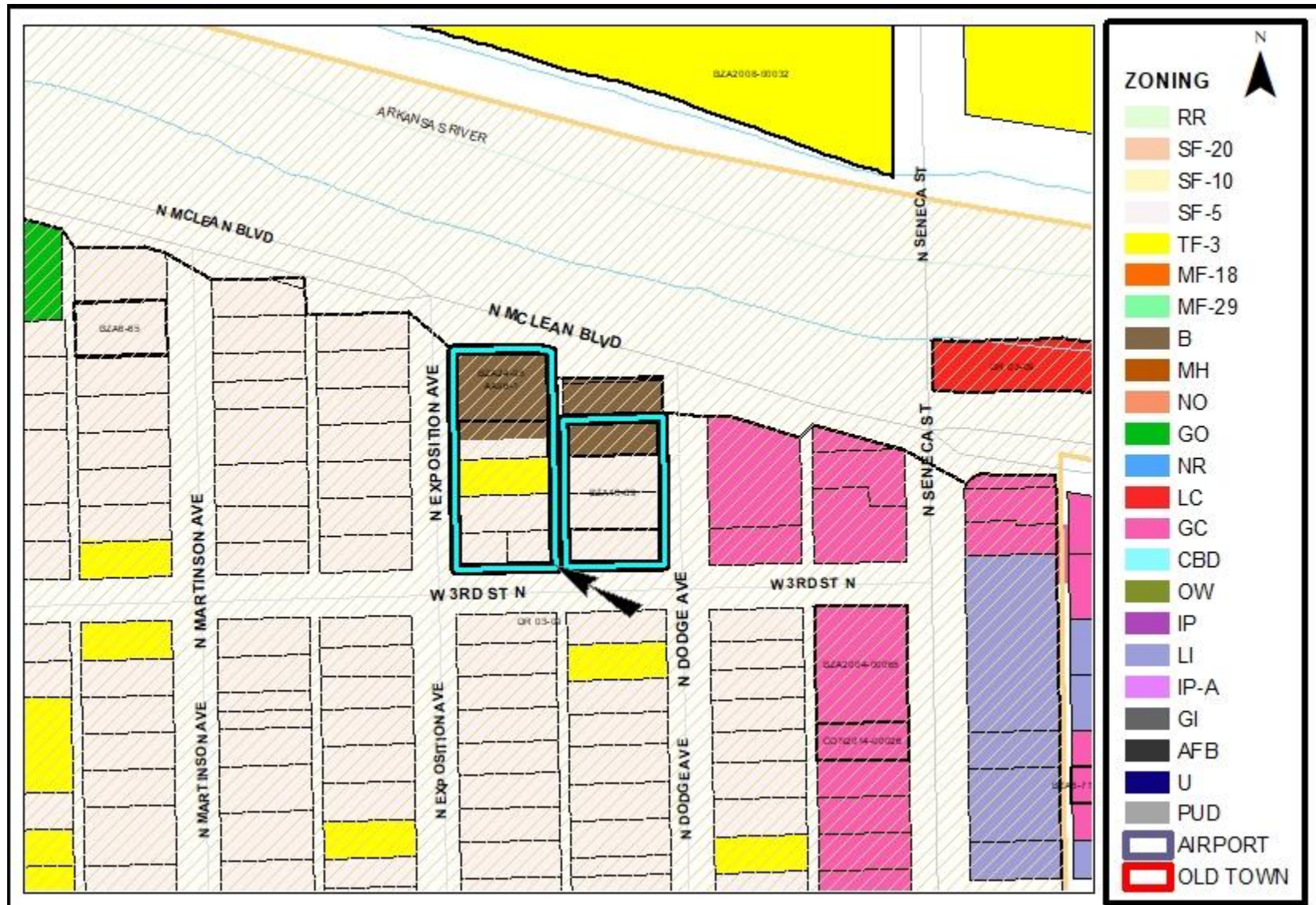
Compatibility standards apply.
4. **Lighting:**
 - a. All exterior lighting shall be shielded to direct light downward. Floodlighting/wall-pack are not permitted along the Exposition Street or Third Street frontages without the use of cutoffs. New light poles shall not exceed 15 feet in height when within 200 feet of adjoining residential land-uses along Exposition Street or Third Street frontages.

- b. Lighting where necessary are required to use full-cutoffs to limit light trespass onto neighboring residential parcels.
- 5. **Screening:**
 - a. All rooftop mechanical equipment shall be screened from ground view per the U.Z.C. All loading, docking areas, and trash receptacles shall be screened from ground view as approved by the Planning Director.
 - b. Unless otherwise noted Screening shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code, Section IV and Section III-C.2.b.
- 6. **Signage:**
 - a. Shall be as permitted in the General Office (GO) Zoning District sign standards. **Staff recommends that lighted signage be prohibited from facing residences.**
- 7. **Landscaping:**
 - a. Landscaped street yards, buffers, and parking lot landscaping and screening shall be in accordance with the City of Wichita Landscape Ordinance and that of the D-O Delano Neighborhood Overlay District.
- 8. **Parking:** Shall be in accordance with the Wichita-Sedgwick County Unified Zoning Code for “CBD”, provided however, a parking study shall be required at the time of redevelopment of the property and such parking study may require a minimum parking requirement as determined by the Director of the Planning **MAPD. Staff recommends that bicycle parking be included in the development.**
- 9. **Title:** The transfer of the title on all or any portion of the land included in the Protective Overlay does not constitute a termination of the overlay or any portion thereof; but said overlay shall run with the land and be binding upon the present owners, their successors and assigns and amended. However, the Director of the MAPD, with the concurrence of the Zoning Administrator, may approve minor adjustments to the conditions in this overlay, consistent with the approval, without filing a formal ordinance amendment.
- 10. Any major changes to this Planned Unit Development shall be submitted to the Planning Commission and the Governing Body for their consideration. Amendments, adjustments, or interpretations to the P.U.D. shall be done in accordance with the Unified Zoning Code.
- 11. A certificate or Notice of PUD is required to be recorded with the Sedgwick County Register of Deeds Office upon approval of PUD #84.

Aerial Map



Zoning Map

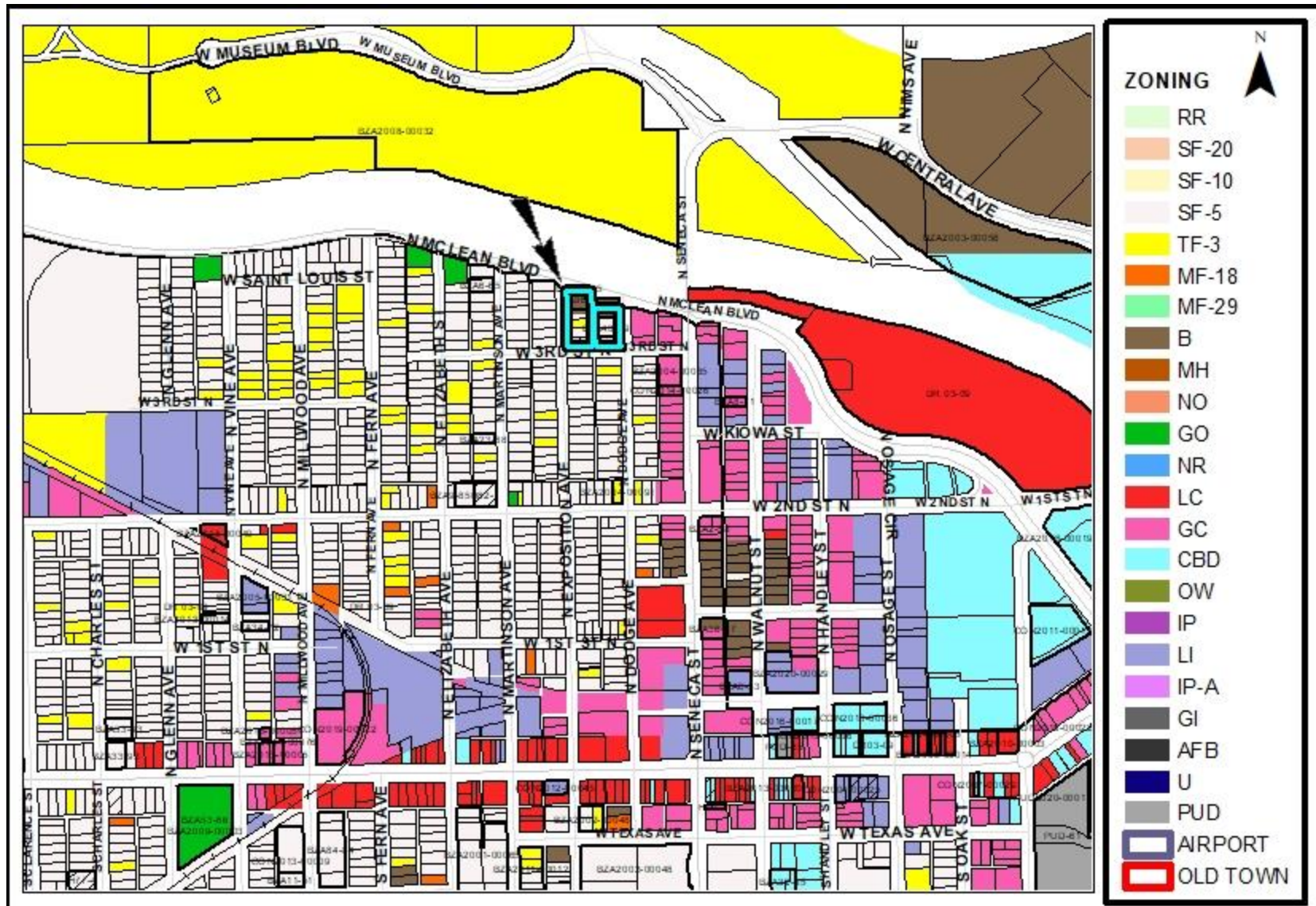


ZON2021-00008

Metropolitan Area Planning Commission

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Area Zoning Map










ZON2021-00008




Metropolitan Area Planning Commission

2035 Wichita Future Growth Concept Map

Legend

-  Established Central Area
-  Residential and Employment Mix
-  New Employment
-  New Residential
-  Wichita City Limits
-  Other Cities
-  Northwest Bypass Right-of-Way

Statistical Development Areas

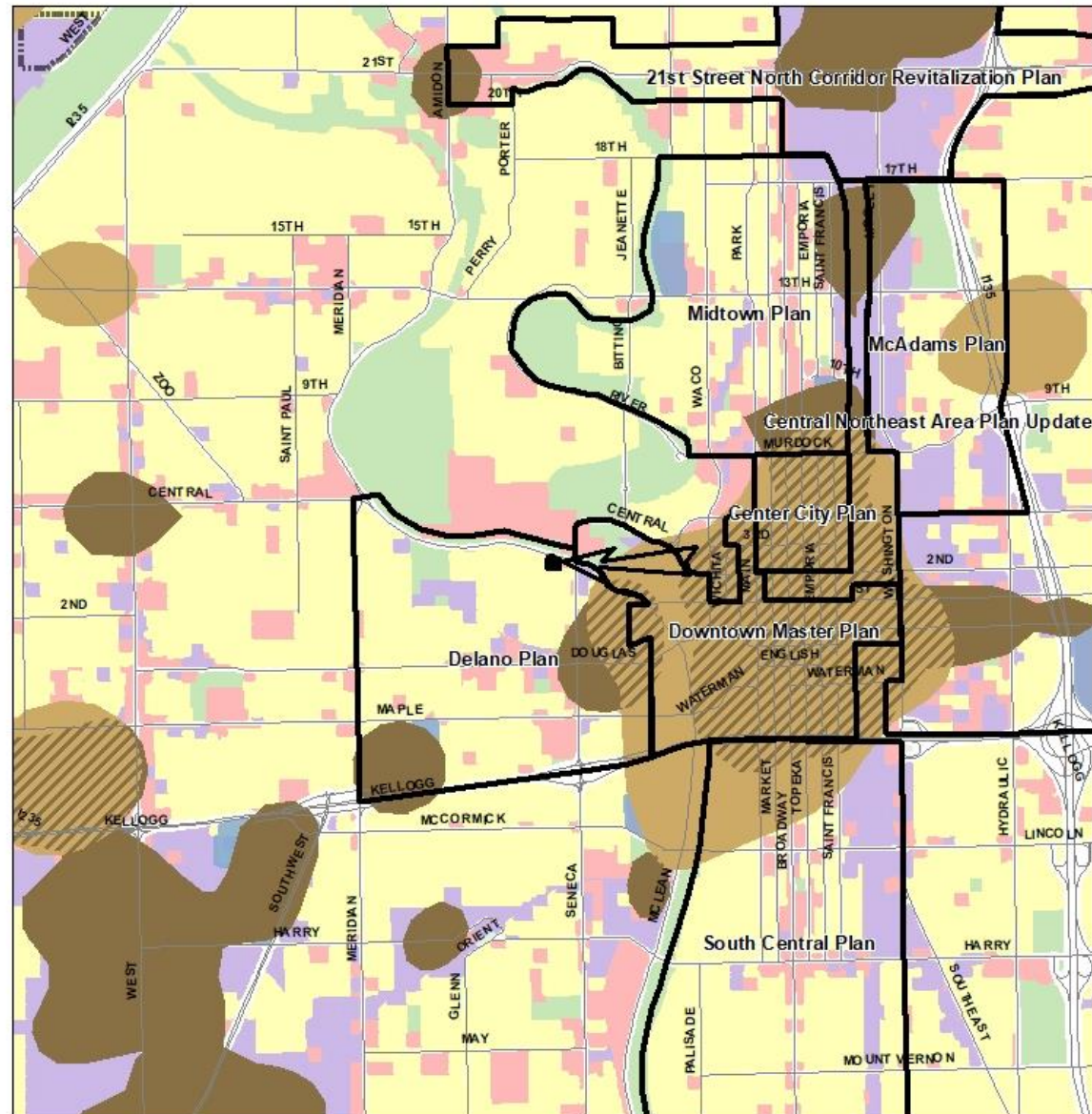
-  Other Urban Growth Areas 2014
-  Other Urban Growth Areas 2014
-  Rural Growth Areas 2014

LAND USE

-  Residential
-  Commercial
-  Industrial
-  Major Air Transportation & Military
-  Parks and Open Space
-  Agricultural or Vacant
-  Major Institutional
-  Nghbd_Plan_Areas



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Delano Plan Update
Future Land Use
Concept

Legend

-  Delano Neighborhood Boundary
-  Residential
-  Commercial
-  Mixed Use
-  Major Institutional
-  Recreation
-  Entertainment
-  Parks and Open Space
-  Ballpark Village

